

Attorney Docket: SYN-039A

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed for and for which a patent is sought on the invention entitled

**FLEXIBLE SURGICAL CLIP APPLIER,**

the specification of which

☒ [X] is attached hereto.☐ [ ] was filed on:

as application Serial Number:

and was amended on (if applicable):

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I verify that I am qualified as an Independent inventor under Title 37, Code of Federal Regulations, Section 1.9(c), and my obligation to assign rights to this invention, if any, is to a qualified small business concern under Title 37, Code of Federal Regulations, Section 1.9(d).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Serial No. | Country | Filing Date<br>(D/M/YR) | Priority Claimed?                                        |
|------------|---------|-------------------------|----------------------------------------------------------|
| 1.         |         |                         | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10010906-120601

12/06/01 13:58

SYNTHEON LLC → 2033291180

NO.306 P019/020

3052337504

12/06/2001 14:31

20337504

RELIANCE TIR

PAGE 04

NO.299 P004/000

12/06/01 11:41

SYNTHEON LLC → 3052337504  
2033291180

GORDON &amp; JACOBSON

PAGE 83

12/06/2001 10:03 2033291180

Attorney Docket: SYN-039A

| Application Ser. No. | Filing Date   | Status<br>(patented, pending, abandoned) |
|----------------------|---------------|------------------------------------------|
| 1. 09/891,775        | June 25, 2001 | Pending                                  |
| 2.                   |               |                                          |
| 3.                   |               |                                          |

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

David P. Gordon (29,996)  
David S. Jacobson (30,235)  
Thomas A. Gallagher (31,358)

Address all telephone calls to: David P. Gordon at (203) 329-1160  
Address all correspondence to: Gordon & Jacobson, P.C.  
65 Woods End Road  
Stamford, Connecticut 06905  
U.S.A.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SOLE OR FIRST INVENTOR

Signature: *Kevin W. Smith* Date 12-6-01

Full Name: Kevin W. Smith

Residence: 570 Arvida Parkway, Coral Gables, FL 33156

Citizenship: US

P.O. Address: Same as address

## SECOND JOINT INVENTOR

Signature: *Juergen A. Kortenbach* Date 12/6/01

Full Name: Juergen A. Kortenbach

Residence: 122 Pincrest Drive, Miami Springs, FL 33166

Citizenship: CA

P.O.: Address: Same as address

2

2

10010906-120601

Attorney Docket: SYN-039A

## THIRD JOINT INVENTOR

Signature: Date 12-06-01

Full Name: Robert Sixto, Jr.

Residence: 8235 SW 99th Street, Miami, FL 33156

Citizenship: US

P.O. Address: Same as residence

## FOURTH JOINT INVENTOR

Signature: Date 12-6-01

Full Name: Charles R. Slater

Residence: 2350 South West 26 Avenue, Fort Lauderdale, FL 33312

Citizenship: US

P.O. Address: same as residence

10010906-120601